

02-10-03

CPA/1600#  
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**CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL**

Submit an original and a duplicate for fee processing  
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

Address to:

Assistant Commissioner for Patents  
Box CPA  
Washington, D.C. 20231

Attorney Docket No. 98,392

First Named Inventor Johnathan Embleton

Express Mail Label No. EV214220537US

**NOTES:** The filing of this CPA is a request to *expressly abandon* the prior application as of the filing date.

No reference to the prior application is needed in the first sentence of the specification and none should be submitted.

This is a request for a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d) (continued prosecution application (CPA)) of prior application number 09/091,958 filed on June 7, 1999, entitled Ophthalmic Treatment.

1. ☒ Enter the unentered amendment previously filed on October 29, 2002 under 37 CFR 1.116 in the prior nonprovisional application.
2. ☐ A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
  - a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:
  - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent is enclosed.
5. ☐ An Information Disclosure Statement (IDS) is enclosed, comprising:
  - a. ☐ PTO-1449
  - b. ☐ Copies of IDS Citations
6. ☐ A Request for non-publication of application under 35 USC 122(b)(2)(B)(i) is enclosed.
7. Small Entity Status
  - a. ☐ is claimed.
  - b. ☐ Statement filed in prior application; status still proper and desired.
  - c. ☐ is no longer claimed.

**APPLICATION FEES**

APPLICATION FEES				
BASIC FEE				\$ 750.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	18	-20=	x \$18.00	\$
Independent Claims	2	- 3=	x \$84.00	\$
<input type="checkbox"/> Multiple Dependent Claims(s) if applicable			+\$280.00	\$
			Total of above calculations =	\$ 750.00
			Reduction by 50% for filing by small entity =	\$( )
			TOTAL =	\$ 750.00

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750.00 CP

**CPA REQUEST TRANSMITTAL**

Attorney Docket No. 98,392

8. ☐ Please charge my Deposit Account No. 13-2490 in the amount of \$
9. ☒ A check in the amount of \$110.00 for One Month Extension of Time and \$750.00 for the CPA. \$860.00 is enclosed.
10. The Commissioner is hereby authorized to credit overpayments or charge any additional fees of the following types to Deposit Account No. 13-2490:
- a. ☒ Fees required under 37 CFR 1.16.
  - b. ☒ Fees required under 37 CFR 1.17.
  - c. ☒ Fees required under 37 CFR 1.18.
11. The Commissioner is hereby generally authorized under 37 CFR 1.136(a)(3) to treat any future reply in this or any related application filed pursuant to 37 CFR 1.53 requiring an extension of time as incorporating a request therefor, and the Commissioner is hereby specifically authorized to charge Deposit Account No. 13-2490 for any fee that may be due in connection with such a request for an extension of time.
12. ☒ Other:
- a. Postcard
  - b. Petition for One Month Extension of Time

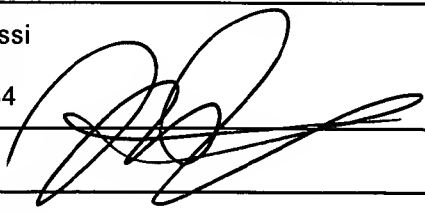
**13. CERTIFICATE OF MAILING**

I hereby certify that, under 37 CFR § 1.10, I directed that the correspondence identified above be deposited with the United States Postal Service as "Express Mail Post Office to Addressee," addressed to the Asst. Commissioner for Patents, Box CPA, Washington, DC 20231, on the date indicated below.

**14. USPTO CUSTOMER NUMBER****20306**

PATENT TRADEMARK OFFICE

**McDonnell Boehnen Hulbert & Berghoff****15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name	Steven J. Sarussi Reg. No. 32,784
Signature	
Date	February 6, 2003

CPA (Rev. 11/21/00)